



**RICHLAND COUNTY
GOVERNMENT**
Office of the County Administrator

**Council Actions Report
Regular Session Council Meeting
May 5, 2015
6:00PM**

Call to Order: Rush

Invocation: Jackson

Pledge of Allegiance: Jackson

Presentation of Resolutions

- a. **National Public Works Week Proclamation:** Mr. Rush presented a Proclamation to Ismail Ozbek, Director – Public Works, recognizing May 17th – May 23rd as National Public Works Week.
- b. **Resolution Honoring State Highway Patrolman Thomas M. White on receiving the 2014 Richland County Trooper of the Year Award:** Mr. Rush presented a Resolution to State Highway Patrolman Thomas M. White, honoring him for receiving the 2014 Richland County Trooper of the Year Award.

Approval of Minutes

- a. **Regular Session: April 21, 2015:** Approved as published.
- b. **Zoning Public Hearing: April 28, 2015:** Approved as published.
- c. **Special Called Meeting: April 28, 2015:** Approved as published.

Adoption of Agenda: Adopted as amended. Item 3a was removed from the agenda. Staff will bring this item back to Council for their consideration at the May 19, 2015 Council meeting.

Report of Attorney for Executive Sessions Items

- a. **Pending Litigation: Hopkins and Lower Richland Citizens United, Inc., and Wendy Brawley vs. Richland County**

Citizen's Input: No one spoke.



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Report of County Administrator: Mr. McDonald reminded Council of the upcoming Budget Work Session on Thursday, May 7, 2015 at 4:00PM. Also, Mr. McDonald updated Council on the status of the resubmission of the County's joint (Lexington County, Columbia Metropolitan Airport, & City of Columbia) application to the South Carolina State Infrastructure Bank Board (SIB) for the United Midlands Multimodal Corridor Improvement Project, and informed Council of the upcoming SIB meeting on May 18, 2015.

Report of the Clerk of Council: Ms. McDaniels reminded Council of the upcoming CONNECTIONS event on Wednesday, May 13, 2015 from 1:00PM – 5:00PM. At the event, the County will be recognized as “America’s First Certified Connected Capital Community”.

Report of the Chairman: Mr. Rush thanked the members of County Council for attending the Legislative Reception: The Art of Government & Business, which was held on April 29, 2015.

Open/Close Public Hearings

- a. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 24, Utilities; Article II, Water and Sewer Service Generally; Section 24-7 and 24-8; and Amending Chapter 24.5, Special Sewer Assessment District; Article III, Financing Improvements; Rates and Charges; Sections 24.5-42, 24.5-43 and 24.5-44; so as to delete the references to liens as a collection method for unpaid bills:** Twelve people spoke.
- b. **An Ordinance Amending the Fiscal Year 2014-2015 Road Maintenance Annual Budget to appropriate Eight Hundred Thousand Dollars (\$800,000) to supplement paved road repair:** No one spoke.

1. Approval of Consent Items

- a. **15-11MA**
Mark & Cynthia Harrelson
RS-HD to RU (4.04 Acres)
4430 Old Leesburg Rd.
25002-03-03(p): Council gave second reading approval to the rezoning amendment.
ACTION: LEGAL, CLERK OF COUNCIL, PLANNING
- b. **15-16MA**
Elias Dib
OI to RM-MD (3.25 Acres)
Summer Valley Dr.



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17216-10-24: Council gave second reading approval to the rezoning amendment.
ACTION: LEGAL, CLERK OF COUNCIL, PLANNING

c. 15-17MA

Two Notch Commercial Development

MH/NC to GC (1.68 Acres)

Two Notch Rd. & Aubrey St.

22914-02-03 & 09: Council gave second reading approval to the rezoning amendment.

ACTION: LEGAL, CLERK OF COUNCIL, PLANNING

d. Conservation Department: Endorsement of Cabin Branch Conservation Corridor:

Council endorsed the creation of a Cabin Branch Conservation Corridor. **ACTION: CONSERVATION, PLANNING**

e. Removal of Lien off of Property: Council approved removing the lien off of the property located at 2045 Smith St., (Parcel # R13516-03-21) contingent on the property owner donating the land to the Atlas Road Community Organization. Staff will develop and present a policy to Council to address future requests for removing liens off of property in a similar manner for their consideration. **ACTION: LEGAL, BUILDING SERVICES, FINANCE, ADMINISTRATION**

f. Lease Agreements with Non-County Entities that are Occupying and Utilizing County Owned Property: Council directed staff to obtain formal lease agreements with all non-county entities that are occupying and utilizing county owned property. The agreements will be brought to Council for review and action. **ACTION: ADMINISTRATION, LEGAL, SUPPORT SERVICES, RISK MANAGEMENT**

2. Third Reading Items

a. An Ordinance Amending the Richland County Code of Ordinances; Chapter 24, Utilities; Article II, Water and Sewer Service Generally; Sections 24-7 and 24-8; and Amending Chapter 24.5, Special Sewer Assessment District; Article III, Financing Improvements; Rates and Charges; Sections 24.5-42, 24.5-43 and 24.5-44; so as to delete the references to liens as a collection method for unpaid bills: Council gave third reading approval to the ordinance amendment. Staff will include language in the ordinance to reflect that staff will utilize the GEAR/Debt SetOff program to collect delinquent payments from the property owners that do not pay their sewer bill as opposed to placing a lien on the property. The vote to reconsider failed. **ACTION: LEGAL, CLERK OF COUNCIL, UTILITIES, FINANCE**



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- b. **An Ordinance Amending the Fiscal Year 2014-2015 Road Maintenance Annual Budget to appropriate Eight Hundred Thousand Dollars (\$800,000) to supplement paved road repair:** Council gave third reading approval to the budget amendment from the Roads and Drainage Fund Balance in the amount of \$800,000 to fund the repair of 27 paved roads that are in the process of being added to the county's road maintenance system and to include the roads in the Sunny Acres subdivision. **ACTION: LEGAL, CLERK OF COUNCIL, FINANCE, PUBLIC WORKS**

3. Second Reading Items

- a. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 24, Utilities; Article IV, Sewers and Sewage Disposal; Division 2, Use of Public Sewers; Section 24-81, Use of Public Sewers Required; so as to clarify that the section only applies to new construction:** Council deferred this item to the May 19, 2015 Council meeting. **ACTION: LEGAL, CLERK OF COUNCIL, UTILITIES**
- b. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26; Land Development; so as to remain in compliance with the National Flood Insurance Program upon the adoption of the new flood insurance rate map:** Council gave second reading approval to the ordinance amendment. Staff will provide Council with a map that outlines the locations of the current special flood hazard area delineations and the proposed special flood hazard area delineations and the changes between the current and proposed maps. **ACTION: LEGAL, CLERK OF COUNCIL, FINANCE, PUBLIC WORKS**

4. First Reading Items

- a. **An Ordinance to raise revenue, make appropriations, and adopt a budget for Richland County, South Carolina for Fiscal Year beginning July 1, 2015 and ending June 30, 2016:** Council gave first reading approval by title only to the ordinance. **ACTION: ADMINISTRATION, FINANCE, LEGAL, CLERK OF COUNCIL**
- b. **An Ordinance Authorizing the levying of ad valorem property taxes, which, together with the prior year's carryover and other State levies and any additional amount appropriated by the Richland County Council prior to July 1, 2015, will provide sufficient revenues for the operations of Richland County Government during the period from July 1, 2015, through June 30, 2016:** Council gave first reading approval by title only to the ordinance. **ACTION: AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL, ADMINISTRATION**



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- c. **An Ordinance Amending the Fiscal Year 2014-2015 Hospitality Tax Fund Annual Budget to appropriate Two Million Twenty-Five Thousand Dollars (\$2,025,000) of Hospitality Fund Balance to provide funding for purchasing property associated with Project LM as recommended by the Economic Development Committee:** Council gave first reading approval to the budget amendment in the amount of \$2,025,000. **ACTION: CLERK OF COUNCIL, LEGAL, FINANCE, CAPITAL PROJECTS, ADMINISTRATION, ECONOMIC DEVELOPMENT**

5. Report of Development and Services Committee

- a. **Solid Waste Service Charge for Vacant Dwelling Units:** Council denied this request.

6. Report of Administration and Finance Committee

- a. **Judicial Center Flooring Contract:** Council approve the request to enter into a contract with O'Neal Flooring in the amount of \$695,863 to provide the labor needed to remove the existing flooring in the Judicial Center and to replace with new flooring materials. Staff will not include brand names in the specifications for bidding documents in future solicitations. The vote to reconsider failed. **ACTION: FINANCE, PROCUREMENT, CAPITAL PROJECTS, SUPPORT SERVICES**
- b. **McCrary Training Center:** Council deferred this item to the May 19, 2015 Council meeting. **ACTION: ADMINISTRATION, CLERK OF COUNCIL, EMERGENCY SERVICES, LEGAL, FINANCE**

7. Report of Economic Development Committee

- a. **Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain real property located in Richland County; the execution and delivery of a Credit Agreement to provide for Special Source Revenue Credits to Icon Columbia SC LLC, previously identified as Project Sandy; and other related matters:** Council gave first reading approval by title only to the ordinance. **ACTION: ECONOMIC DEVELOPMENT, AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL**
- b. **Authorizing an Amendment to the Master Agreement governing the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to increase the percentage of the revenues generated by properties located in Richland County to be deposited in the Richland County Industrial Park Fund from three percent to five percent; and other related matters:** Council gave first reading by title only to the



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amendment. **ACTION: ECONOMIC DEVELOPMENT, AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL**

- c. **A Resolution Authorizing the execution of an Intergovernmental Agreement relating to the Pineview Industrial Park between Richland County, South Carolina and the City of Columbia, South Carolina and other matters related thereto: Council approved the Resolution. ACTION: ECONOMIC DEVELOPMENT, AUDITOR, ASSESSOR, TREASURER, FINANCE, LEGAL, CLERK OF COUNCIL**

8. Report of Rules and Appointments Committee

a. Notification Of Appointments

i. Airport Commission – 1

Council voted to appoint D. Michael Kelly. **ACTION: CLERK OF COUNCIL**

ii. Building Codes Board of Appeals – 1

Council voted to appoint David Cook. **ACTION: CLERK OF COUNCIL**

iii. Accommodations Tax

Council voted to appoint Amber Martin. **ACTION: CLERK OF COUNCIL**

iv. Hospitality Tax

Council voted to appoint Craig Parks. **ACTION: CLERK OF COUNCIL**

v. Midlands Workforce Development Board

Council voted to approve the appointment of Bobby Cunningham, Barrie B. Kirk and Patrick Thomas. **ACTION: CLERK OF COUNCIL**

vi. Employee Grievance

Council voted to appoint Joseph Scott Hallbick, Beverly Williams Leeper and Suzie Haynes. **ACTION: CLERK OF COUNCIL**

vii. Planning Commission



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Council voted to re-appoint Wallace Brown, Sr., C. David Tuttle, Beverly Diane Frierson and Patrick Palmer. **ACTION: CLERK OF COUNCIL**

b. Discussion From Rules And Appointments Committee

- i. COUNCIL RULES: MOTION:** In the event that a Standing Committee of Council (Administration & Finance, Development & Services, Economic Development, Rules & Appointments) should fail to have a quorum of its members present either at the beginning of the meeting or after the meeting has begun, any item or items that are reported on Committee Agenda deemed "time sensitive" by a committee member or County staff will be referred to the Chair of the Committee, the Chair of Council and the County Administrator. A determination will be then made by this group as to whether the "time sensitive" designation is valid. This determination may require consultation with a Department Head, Procurement, Legal, et al. If a determination of time sensitivity is made in the affirmative, the Chair of Council may add the item to the next regularly scheduled Council meeting for review, debate and action [PEARCE AND MANNING]: This item was held in Committee. **ACTION: CLERK OF COUNCIL**

9. Other Items

a. REPORT OF THE DIRT ROAD AD HOC COMMITTEE

- i. Dirt Road Paving Team Contract:** Council approved the Dirt Road Paving Team Contract with Dennis Corporation in the amount of \$4,279,624, which includes a 10% contingency of \$389,057. The vote to reconsider failed.
ACTION: LEGAL, FINANCE, TRANSPORTATION, PROCUREMENT

b. REPORT OF THE TRANSPORTATION AD HOC COMMITTEE

- i. On-Call Engineering Team – Cox and Dinkins Service Agreement #1:** Council approved the Service Agreement #1 for Cox & Dinkins in the amount of \$1,952,335.64, which includes a 10% contingency. The vote to reconsider failed.
ACTION: TRANSPORTATION, LEGAL, PROCUREMENT, FINANCE

c. REPORT OF THE HOSPITALITY TAX COMMITTEE

- i. “Destination Facilities” Funding Options:**



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- a) **Recommend removal of funding for the Columbia Museum of Art in FY16-17:** Council tabled this item.
 - b) **Explore the Tourism Development fund collected in the unincorporated portions of Richland County as an option for funding.** Council directed staff to explore the Tourism Development fund collected in the unincorporated portions of Richland County as an option for funding the “Destination Facilities”. **ACTION: FINANCE, LEGAL, ADMINISTRATION**
- ii. **Richland County Sports Arena:** This item was held in Committee. **ACTION: CLERK OF COUNCIL, ADMINISTRATION**

10. Citizen’s Input: Three people spoke.

11. Executive Session

12. Motion Period

- a. **I move to amend County Code Section 2-261 – Geographic Information System, Item (d) 1-5 to eliminate the fees for GIS data. [ROSE]:** This item was sent to the A&F Committee. **ACTION: CLERK OF COUNCIL, ADMINISTRATION, LEGAL, GEOGRAPHICAL INFORMATION SYSTEMS**
- b. **Septic tanks that are functioning properly should not be disallowed in Richland County. Direct staff to contact DHEC to determine why a septic that needs maintenance or repair is not allowed to be done if a public sewer is within 200 feet of the property. Property owners should not be forced to incur expenses that will burden them for years to come and a replacement septic system should be allowed provided it is shown the new system can function properly. [MALINOWSKI]** This item was sent to the Sewer Ad Hoc Committee. **ACTION: CLERK OF COUNCIL, UTILITIES**

13. Adjournment: Council adjourned at 8:01PM.